

# **EXHIBIT 5**

**Etheridge Law Group, PLLC**

2600 East Southlake Blvd.  
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July 14, 2021

**VIA ELECTRONIC MAIL**

Brian A. Rosenthal  
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200 Park Avenue  
New York, NY 10166  
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**Re: *WSOU Investments, LLC v. Dell Techs. Inc., EMC Corp., and VMware, Inc.*, Case  
Nos. 6:20-cv-00473; 6:20-cv-00474; 6:20-cv-00475; 6:20-cv-00476; 6:20-cv-00477;  
6:20-cv-00478; 6:20-cv-00479; 6:20-cv-00482; 6:20-cv-480; 6:20-cv-481; 6:20-cv-  
485; 6:20-cv-486 (W.D. Tex.)**

Dear Brian:

We write on behalf of our client WSOU Investments, LLC in response to the letters we have received dated June 29, 2021 and July 13, 2021. These letters hastily request that WSOU narrow its number of asserted claims to thirty-two (32) across all cases.

As you are aware, the proper timing to narrow claims in this litigation has been set forth by the Court's Order Governing Proceedings ("OGP"). According to the Scheduling Order, filed November 17, 2020, there are two (2) specific dates for the narrowing of claims. The two deadlines mandated by the Court to meet and confer to discuss significantly narrowing the number of claims asserted is 1) October 29, 2021 and 2) February 18, 2022. *See* Scheduling Order at 3, *WSOU Investment, LLC v. Dell Techs. Inc., EMC Corp., and VMware, Inc.*, No. 20-00476 (W.D. Tex. 2020), ECF No. 50. Not until after the second deadline the Court requires the parties to file a Joint Report within five (5) business days regarding the resolution of the narrowing of the claims. Because Dell's request is months before the first meet and confer, we are not obligated to reduce the number of asserted claims.

Brian Rosenthal  
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Moreover, fact discovery has only recently begun, with several disputes still outstanding on WSOU's discovery requests. Without the benefit of full discovery, WSOU cannot be expected to arbitrarily limit the number of terms it is asserting at this time. WSOU will reduce the number of claims in accordance with the Scheduling Order and after complete discovery but will not do so at this time.

Regards,

/s/ Jim Etheridge  
Jim Etheridge